IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1112 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders	Court's or Judge's Orders

Mr.S.M. Sabrad for Appellant
Mr.K.K. Tated, AGP, for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **DECEMBER 21, 2004**

. The trial Court has considered all the factors and has concluded that since the suit has been filed for injunction restraining the respondents from holding auction, the plaintiff could well be compensated by damages in the event the auction is held by the Respondents. It appears that the auction in respect of various sand spots from Madha and Malshiras Talukas has been stayed by the Government as mentioned in the Civil Application.

2. In these circumstances, I do not think there is any need to

interfere with the impugned order. However, in the event, the Government decides to lift the temporary injunction, the appellant may be informed of the same.

3. The Government will not take any action once the ban is lifted for a period of 10 days after communicating this decision to the Appellant.

4. In view of this, Appeal from Order is disposed of.

5. In view of the Appeal from Order being disposed of, nothing survives in Civil Application No.1582 of 2004 and the same is disposed of accordingly.